

eP400F (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 562 OF 2004

PETITIONER

: SMT. RAMRATI MARKO, W/O SHRI
SAMAROO SINGH, AGED ABOUT 36 YEARS,
SUPERVISOR, DEPARTMENT OF WOMEN
AND CHILD DEVELOPMENT, BILASPUR,
(C.G.) AND AT PRESENT RESIDING AT
AMARPUR ROAD, BEHIND OF STATE BANK
OF INDIA, PENDRA, DISTRICT BILASPUR,
(C.G.).

VERSUS

RESPONDENTS

- : 1. STATE OF CHHATTISGARH, THROUGH:
THE SECRETARY, CHILD DEVELOPMENT
AND SOCIAL WELFARE DEPARTMENT,
D.K.S.BHAWAN, RAIPUR, (C.G.).
2. THE DEPUTY DIRECTOR, (ESTABLISHED)
DIRECOTOATE OF WOMEN AND CHILD
DEVELOPMENT DEPARTMENT, RAIPUR,
(C.G.)
3. THE DISTRICT PROGRAMME OFFICER,
WOMEN AND CHILD DEVELOPMENT,
BILASPUR, (C.G.).
4. THE COLLECTOR, DISTRICT BILASPUR,
(C.G.)
5. THE DISTRICT PROGRAMME OFFICER,
WOMEN AND CHILD DEVELOPMENT
DEPARTMENT, KORBA, (C.G.).
6. THE PROJECT OFFICER, INTIGRATED
CHILD DEVELOPMENT SCHEME, PALI,
DISTRICT KORBA, (C.G.)

P. R. No. 560/04
Presented by Shri. R. M. Pandey
dated 18.12.04
1



WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF

INDIA,

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 562/2004 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	28.1.2005 Shri Rajesh Pandey, counsel for the petitioner. Shri Sandeep Dubey, Panel Lawyer for the State/respondents. Smt. Effat Ara, presently working as S.D.O., Kota and Shri Anand Prakash Kispota, District Programme Officer, Women and Child Development, Bilaspur, are present in person in the Court. Learned counsel for the State submits that he has filed an application for taking documents on record today itself vide P.R.No.662/2005. In compliance of the order dated 27.1.2005, an order of cancellation of transfer of the petitioner dated 4.8.2004 has been filed along with this application. Learned counsel for the petitioner submits that in pursuance of the earlier transfer order dated 25.3.2003 (Annexure P-1), the petitioner was relieved from village Pali, District- Korba to Bilaspur on 30.8.2003. The document of relieving is filed as Annexure P-2. He further submits that she joined in the office at Bilaspur (her new place of posting) on 8.9.2003, a copy of joining report is filed as Annexure P-3. This petition was filed for issuance of an appropriate writ regarding the compliance of order dated 25.3.2003 because as per allegations in the	

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	writ petition, the respondents were not allowing the petitioner to join at their Bilaspur office. A perusal of the return shows that the transfer order was subsequently cancelled. A copy of order, filed today goes to show that the same was cancelled on 4.8.2004 and the petitioner was again posted at her previous place of posting i.e. at village Pali, District-Korba. The submission of learned counsel for the petitioner is that the aforesaid cancellation order was never served upon the petitioner and for this reason only, the petitioner was constrained to file this writ petition. Now after filing of the returns and also after filing of the aforesaid cancellation order dated 4.8.2004, the situation is clear. Learned counsel for the petitioner submits that now the petitioner will join at Pali as the order has been received by her today itself when the copy of the same has been supplied by the State counsel. Let the petitioner join at her previous place of posting i.e. at village Pali, District-Korba. Learned counsel for the petitioner also submits that in the facts and circumstances, the petitioner has not received the salary for the period from 1.9.2003 till today. He further submits that since she has complied the transfer order dated 25.3.2003 and she has been relieved	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 3 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	on 2.8.2003 and has given her joining at Bilaspur on 8.9.2003, therefore, the respondents are under obligation to pay her salary in accordance with law. Since the matter of payment of salary to the petitioner is not a subject matter of this writ petition, this Court is not inclined to express any opinion on the same. However, it is observed that if after joining at Pali, the petitioner files an application before the concerned authority for releasing her pay for this intermediate period, the same shall be considered and disposed of in accordance with law and the petitioner will be paid according to her entitlement. With the aforesaid observations, the petition stands finally disposed of. Certified copy as per rules.	

Sd/-
Sunil Kumar Sinha
Judge

Sunita